

App. No. 10/010537
Office Action Dated February 3, 2004
Amd. Dated April 28, 2004

REMARKS

Reconsideration is respectfully requested in view of the above amendments and following remarks. Claims 69-71 and 73 are hereby amended. Claims 10, 15 and 22-68 have been canceled without prejudice or disclaimer. No new matter has been added. Claims 8-11, 13-15, 17-20 and 69-73 are pending.

The claims were considered objectionable. The "suitable for use" term indicates the nature of the thin film being claimed and therefore this term should be accepted. Claim 73 has been amended to make the use of the term "substrate" consistent in the claims as requested.

Claim rejections - 35 U.S.C. § 102

Claims 69, 8, 11, 70, 13, 14, 71-73 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ogawa (EP 0 476 543), as evidenced by Willis et al. (US 5,266,222). Claim 69 has been amended to incorporate the limitation of claim 10, and claims 70 and 71 have been amended to incorporate the limitation of claim 15. Applicants do not concede the correctness of the rejection. Withdrawal of the rejection is respectfully requested.

Claim rejections - 35 U.S.C. § 103

Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa (EP 0 476 543) in view of Ogawa (US 5,849,369). Ogawa ('369) is potentially available only as 35 U.S.C. 102 (e) prior art. Applicants hereby confirm that Ogawa ('369) and the invention of the present application were commonly owned when the present invention was made. Therefore,

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Ogawa ('369) is not available as prior art pursuant to 35 U.S.C. 103(c). Applicants do not concede the correctness of the rejection. Withdrawal of the rejection is respectfully requested.

Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable of Ishitaka et al. (US 5,725,915). Claims 17-19 depend from claim 71, which was not subject to the rejection, and which has been amended to include the feature of claim 15. Therefore, this rejection is rendered moot for reason discussed above. Applicants do not concede the correctness of the rejection. Withdrawal of the rejection is respectfully requested.

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions or concerns regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612)371.5237.

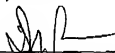
Respectfully submitted,



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By



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DPM:smm